

# **EXHIBIT A**

## 2020CIV000245 THOMPSON, DAVID VS. HARDT, GERHARD

- Case Type:
- CIVIL
- Case Status:
- Open
- File Date
- 10/08/2020
- Action:
- OTHER CIVIL
- Case Judge:
- DEERING, RANDY D

All Information Party Docket Disposition

### Party Information

#### THOMPSON, DAVID

- Plaintiff

- DOB
- 
- Disposition
- 
- Disp Date
- 

- Address
- 1621 MCDERMOTT RUSHTOWN RD  
MCDERMOTT, OH 45652

Alias

#### Party Attorney

- Attorney
- VAN EMAN, TIMOTHY L
- Bar Code
- 0002015
- Address
- LAMKIN VAN EMAN TRIMBLE & DOUGHERTY LLC  
500 S FRONT ST STE 200  
Columbus, OH 43215
- Phone
- (614)224-8187

#### THOMPSON, ANGELA

- Plaintiff

- DOB
- 
- Disposition
- 
- Disp Date
- 

- Address
- 1621 MCDERMONT RUSHTOWN RD  
MCDERMOTT, OH 45652

Alias

#### Party Attorney

- Attorney
- VAN EMAN, TIMOTHY L
- Bar Code
- 0002015
- Address
- LAMKIN VAN EMAN TRIMBLE & DOUGHERTY LLC  
500 S FRONT ST STE 200  
Columbus, OH 43215
- Phone
- (614)224-8187

#### HARDT, GERHARD

- Defendant

- DOB
- 
- Disposition

- Address
- 1920 ST JOHNS DR  
EL PASO, TX 79901

- o
- o Disp Date
- o

Alias

Party Attorney

**STEVENS TRANSPORT INC**

- Defendant

- DOB
- o
- o Disposition
- o
- o Disp Date
- o

- Address
- o C/O STEVEN L AARON-STATUTORY AGENT  
9757 MILITARY PARKWAY  
DALLAS, TX 75227

Alias

Party Attorney

**Docket Information**

<u>Date</u>	<u>Docket Text</u>
10/08/2020	CIVIL FILING FEES Receipt: 35317 Date: 10/08/2020
10/08/2020	CIVIL COMPLAINT W/JURY DEMAND
10/08/2020	CIVIL DEPOSIT Receipt: 35317 Date: 10/08/2020
10/08/2020	SUMMONS ISSUED SUMMONS (N) Sent On: 10/08/2020 09:59:36
10/08/2020	SERVICE BY CERTIFIED MAIL: Issue Date: 10/08/2020 Service: BASIC SUMMONS Method: CERTIFIED MAIL Cost Per: 13.0000  GERHARD HARDT MAILING ADDRESS 1920 ST JOHNS DR EL PASO, TX 79901 Tracking Number: 9414726699042160942102  STEVENS TRANSPORT INC MAILING ADDRESS C/O STEVEN L AARON-STATUTORY AGENT 9757 MILITARY PARKWAY DALLAS, TX 75227 Tracking Number: 9414726699042160942119
10/19/2020	RETURN CARD Method : CERTIFIED MAIL Issued : 10/08/2020 Service : BASIC SUMMONS Served : 10/15/2020 Return : 10/19/2020 on : STEVENS TRANSPORT INC Signed By : ? Reason : COMPLETED Comment : Tracking #: 9414726699042160942119
10/19/2020	RETURN CARD Method : CERTIFIED MAIL Issued : 10/08/2020 Service : BASIC SUMMONS Served : Return : 10/19/2020 on : HARDT, GERHARD Signed By : ? Reason : COMPLETED

**Date**

***Docket Text***

Comment :

Tracking #: 9414726699042160942102

**Case Disposition**

**Disposition**

**Date**

**Case Judge**

Undisposed

DEERING, RANDY D

Court of Common Pleas, Pike County, Waverly, Ohio

**SUMMONS**

RULE 4 1970 OHIO RULES OF CIVIL PROCEDURE

Case No. 2020CIV000245

Name  
**DAVID THOMPSON**

Address

**1621 MCDERMOTT RUSHTOWN RD  
MCDERMOTT, OH 45652**

**Plaintiff(s)**

**VS.**

Name  
**GERHARD HARIOT**

Address

**1920 ST JOHNS DR  
EL PASO, TX 79901**

**Defendant(s)**

To the above named Defendant:

You are hereby summoned that a complaint (a copy of which is hereto attached and made a part hereof) has been filed against you in this court by the plaintiff(s) named herein.

You are required to serve upon the plaintiff's attorney or upon the plaintiff if he/she has no attorney of record, a copy of your answer to the complaint within 28 days after service of this summons upon you, exclusive of the day of service. Said answer must be filed with this Court within three days after service on Plaintiff's Attorney.

The name and address of the plaintiff(s) attorney is as follows:

**TIMOTHY L VAN EMAN  
LAMKIN VAN EMAN TRIMBLE & DOUGHERTY LLC  
500 S FRONT ST STE 200  
Columbus, OH 43215**

If you fail to appear and defend, judgment by default will be taken against you for the relief demanded in the complaint.

**JUSTIN P BREWSTER, CLERK**

By   
Deputy

10/8/2020

IN THE COURT OF COMMON PLEAS, PIKE COUNTY, OHIO  
CIVIL DIVISION

DAVID THOMPSON  
1621 McDermott Rushtown Road  
McDermott, OH 45652

and

ANGELA THOMPSON  
1621 McDermott Rushtown Road  
McDermott, OH 45652

Plaintiffs,

vs.

GERHARD HARDT  
1920 St. Johns Dr.  
El Paso, TX 79901

and

STEVENS TRANSPORT, INC.  
c/o Steven L. Aaron, Statutory Agent  
9757 Military Parkway  
Dallas, TX 75227

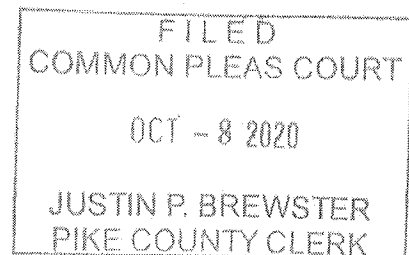
Defendants

Case No. 2020CIV000245

Judge Deering

COMPLAINT

*Jury Demand Endorsed Hereon*



**COMPLAINT**

1. At all times relevant herein, Defendant Stevens Transport, Inc. is a foreign corporation engaged in the business of interstate trucking and is licensed to do business in the State of Texas. Said Defendant is hereinafter referred to as "Defendant Stevens."

At the time of the incident alleged herein, said Defendant regularly did and was doing business in Pike County, Ohio.

2. At all times relevant, Defendant Gerhard Hardt was an agent and/or employee of Defendant Stevens and was acting within the nature and scope of his employment and authority for Defendant Stevens. Defendant Stevens is liable to Plaintiffs for the injuries and damages hereinafter described by virtue of the doctrine of *respondent superior* and is also independently liable to Plaintiffs as hereinafter set forth.

3. On or about October 23, 2018, at approximately 3:00 p.m., Plaintiff David Thompson was operating his 2008 Chrysler PT Cruiser eastbound on SR-32 in Pike County, Ohio, and was stopped at the SR-104 intersection preparing to turn left onto SR-104.

4. At or about the same time and place, Defendant Hardt was operating a 2019 Kenworth tractor/semi-trailer westbound on SR-32 and was approaching the SR-104 intersection.

5. The tractor-trailer Defendant Hardt was operating, which weighed over 26,000 lbs., was owned and/or leased by Defendant Stevens and/or by Defendant Hardt himself.

6. At or about the same time and place, Defendant Hardt negligently and without warning failed to stop at a red traffic signal, entered the intersection, and collided violently with two vehicles, including the vehicle driven by Plaintiff David Thompson.

7. Defendant Hardt was negligent in the operation of his and/or Defendant Stevens' tractor-trailer in that he failed to control his vehicle, was reckless in the operation

of said tractor-trailer, failed to maintain a proper lookout, and failed to stop at a red traffic signal. Defendant Hardt was negligent in other respects.

8. Defendant Hardt was also negligent in his failure to maintain, care for, and inspect the tractor-trailer, thereby causing the aforementioned collision.

9. Defendant Stevens was negligent in hiring Defendant Hardt, negligent in entrusting said tractor-trailer to Defendant Hardt, and was negligent in its instruction, training, and supervision of Defendant Hardt.

10. Defendant Stevens was also negligent in its failure to maintain, care for, and inspect the tractor-trailer, as well as being negligent in other respects.

11. As a direct and proximate result of the joint and concurrent negligence and liability of all Defendants, Plaintiffs sustained the injuries and damages as hereinafter described.

#### **FIRST CLAIM FOR RELIEF**

12. Plaintiff David Thompson incorporates by reference all the allegations contained in paragraphs 1 through 11 of this Complaint as if fully rewritten herein.

13. As a direct and proximate result of the joint and concurrent negligence and liability of all Defendants, Plaintiff David Thompson sustained multiple significant injuries, including injuries to his right ankle, shoulders, neck, back, right leg, carotid artery, a fractured sternum, and a head concussion, as well as injuries to other parts of his body, all of which caused him to endure significant pain, suffering, mental anguish, and disability.



14. As a direct and proximate result of the joint and concurrent negligence and liability of Defendants, Plaintiff David Thompson incurred medical expenses for treatment of his injuries, which included multiple surgeries, and may have lost income from his employment because of them.

15. Since Plaintiff's injuries are permanent, his medical care and expenses, lost income, pain, suffering, mental anguish, and disability will continue in the future.

16. As a direct and proximate result of the joint and concurrent negligence and liability of Defendants, Plaintiff David Thompson's injuries may include one or more of the following: (a) permanent and substantial physical deformity, loss of use of a limb and/or (b) permanent physical functional injury that permanently prevents him from being able to independently care for himself and perform life-sustaining activities.

#### **SECOND CLAIM FOR RELIEF**

17. Plaintiff Angela Thompson incorporates by reference each and every allegation contained in paragraphs 1 through 16 of this Complaint as if fully rewritten herein.

18. At all times relevant herein, Plaintiff Angela Thompson has been the wife of David Thompson and, due to her husband's injuries, she has been deprived of his support, society, services, and conjugal affection, and will be so deprived in the future all as a direct and proximate result of the joint and concurrent negligence of the Defendants.

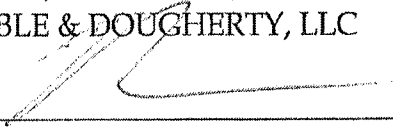
**WHEREFORE,** Plaintiff David Thompson demands judgment against Defendants, jointly and severally, for compensatory damages in an amount in excess of

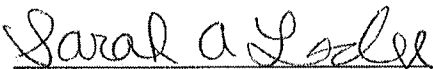
Twenty-Five Thousand Dollars (\$25,000.00), plus interest, prejudgment interest as provided by law, and his costs expended herein.

**WHEREFORE**, Plaintiff Angela Thompson demands judgment against Defendants, jointly and severally, for compensatory damages in an amount in excess of Twenty-Five Thousand Dollars (\$25,000.00), plus interest, prejudgment interest as provided by law, and her costs expended herein.

Respectfully submitted,

LAMKIN, VAN EMAN,  
TRIMBLE & DOUGHERTY, LLC

  
\_\_\_\_\_  
Tim Van Eman (0002015)

  
\_\_\_\_\_  
Sarah A. Lodge (0090406)

500 South Front Street, Suite 200  
Columbus, OH 43215

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Email: [slodge@injurymedmal.com](mailto:slodge@injurymedmal.com)

*Attorneys for Plaintiffs*

**JURY DEMAND**

Now come Plaintiffs and demand a trial by a jury of eight (8) on all issues of the within cause.

  
\_\_\_\_\_  
Tim Van Eman